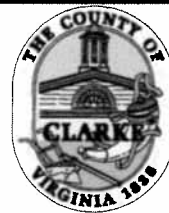


Clarke County

Planning Commission
Regular Meeting Minutes
May 2, 2014



A regular meeting of the Planning Commission of Clarke County, Virginia, was held at the Berryville/Clarke County Government Center, Berryville, Virginia, on Friday, May 2, 2014.

ATTENDANCE

George L. Ohrstrom, II, Chair; Anne Caldwell, Vice Chair; Robina Bouffault; Randy Buckley; Scott Kreider; Doug Kruhm; Cliff Nelson; Chip Steinmetz; and Jon Turkel.

ABSENT: John Staelin (arrived late)

STAFF

Brandon Stidham, Planning Director; Jesse Russell, Zoning Administrator; Alison Teetor, Natural Resource Planner; and Debbie Bean, Recording Secretary.

CALLED TO ORDER

Chair Ohrstrom called the meeting to order at 9:00 a.m.

APPROVAL OF AGENDA

The Commission voted to approve the agenda as modified.

Yes: Bouffault, Buckley, Caldwell, Kreider, Kruhm, Nelson (moved), Ohrstrom, Steinmetz (seconded), and Turkel

No: No one

Absent: Staelin

APPROVAL OF MINUTES

The Commission voted to approve the briefing meeting minutes of April 1, 2014.

Yes: Bouffault (seconded), Buckley, Caldwell (moved), Kreider, Kruhm, Nelson, Ohrstrom, Steinmetz, and Turkel

No: No one

Absent: Staelin

The Commission voted to approve the regular meeting minutes of April 4, 2014.

Yes: Bouffault (seconded), Buckley, Caldwell (moved), Kreider, Kruhm, Nelson, Ohrstrom, Steinmetz, and Turkel

No: No one

Absent: Staelin

Minor/Major Subdivisions

MS-14-02/MLSE-14-01 Moore & Dorsey. Request approval of a two lot Minor Subdivision and a Maximum Lot Size Exception for the property identified as Tax Map #16-A-16 and 16-1-1A, located at 364 Dorsey Orchard Lane in the Buckmarsh Election District, zoned Agricultural Open-Space Conservation (AOC).

Mr. Russell explained this request. He said that the Applicant is requesting approval for a two lot subdivision and a maximum lot size exception. He stated the Applicant is conducting a merger of a two acre lot into proposed Lot 2 thus adding one additional DUR to Lot 2 for a total of 3 DURs and 1 exemption. He said that both Lot 1 and Lot 2 will be giving up DURs and will be placed into conservation easement with the County Easement Authority. He said that the easement is being purchased using Farm and Ranchland Protection Program (FRPP) grant funds. He stated that the FRPP program prohibits subdivision after the land is in easement. He said the Applicant is requesting subdivision approval prior to the easement being recorded around July 1, 2014. He stated that the subject lots will be served by an existing access easement, Dorsey Orchard Lane. He said that the Health Department has reviewed the proposed reserve drainfield sites for the subject lots and has orally approved such. He stated that he is still waiting on the results of the resistivity test. After discussion with Staff and the Commission, Chair Ohrstrom called for a motion.

The Commission voted to approve this proposed request on condition that the applicant provides the results of the resistivity test before the Zoning Administrator signs off on the plats.

Yes: Bouffault, Buckley, Caldwell (moved), Kreider, Kruhm, Nelson, Ohrstrom, Steinmetz (seconded), and Turkel

No: No one

Absent: Staelin

Commissioner Staelin entered the meeting at 9:07 a.m.

MS-14-03 Jason Burns. Request approval of a two lot Minor Subdivision for the property identified as Tax Map #26-A-104, located in the 100 block of Ebenezer Road in the Buckmarsh Election District, zoned Forestal Open-Space Conservation (FOC).

Mr. Russell explained this request. He said the Applicant is requesting approval of a two lot minor subdivision. He stated that the Health Department has approved septic and well sites for both lots. He said that both parcels have been approved by VDOT for private entrances. After discussion with Staff and the Commission, Chair Ohrstrom called for a motion.

The Commission voted to approve this request on condition that the Applicant provides a Deed of Dedication to Staff before the Zoning Administrator signs off on the plats.

Yes: Bouffault (seconded), Buckley, Caldwell, Kreider, Kruhm, Nelson, Ohrstrom, Staelin, Steinmetz and Turkel (moved)

No: No one

Absent: No one

Board/Committee Reports

Board of Supervisors (John Staelin)

Commissioner Staelin stated that at the last Board of Supervisors meeting the Board unanimously denied the Happy Tails Development Special Use Permit and Site Plan. He said there were a number of concerns some being the size of the kennel, the septic system and that the land is in easement.

Sanitary Authority (John Staelin)

Commissioner Staelin stated that the Authority has found leaks in the system and are currently working to resolve the problem.

Board of Septic & Well Appeals (John Staelin)

No report

Board of Zoning Appeals (Anne Caldwell)

Commissioner Caldwell stated the Board had a request for a 38' side yard setback variance for a proposed garage. She said the Board voted unanimously to approve this request.

Historic Preservation Commission (Doug Kruhm)

Commissioner Kruhm stated that the Commission will have their regular meeting on May 28, 2014 followed by an awards luncheon for recognition of selected members of the community for their historic projects in the County.

Conservation Easement Authority (George Ohrstrom, II)

Chair Ohrstrom said that the Authority continues to look for grants.

Other Business

Recommendation to the Board of Supervisors on Zoning Ordinance Commercial Boarding Kennel Provisions

Mr. Stidham stated that at the briefing meeting on Tuesday the Commission had a consensus among the members to act on the draft commercial kennel motion at Friday's meeting. He said that there was one change in the motion that was requested under item #3 to create a new "animal shelter/governmental" use, the members preferred to use the wording, "owned and/or operated by" instead of "owned and/or endorsed by." He stated that the change in wording is on the yellow sheet of paper that was given to the Commission this morning. After discussion with Staff and the Commission, Chair Ohrstrom called for a motion.

The Commission voted to recommend to the Board of Supervisors consideration of the following actions:

1. Delete "Commercial Boarding Kennels of more than five canine or feline animals" and "Animal Shelters" as a special uses in the AOC District (Section 3-A-1-a-3-u). These two uses would become prohibited uses in the AOC District, and existing commercial boarding kennels and animal shelters would become nonconforming uses.

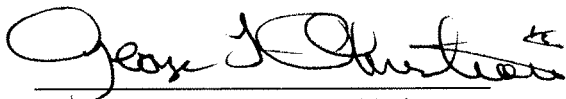
2. Delete "Commercial Boarding Kennels of more than five canine or feline animals" and "Animal Shelters" as special uses in the FOC District (Section 3-A-2-a-3-q). These two uses would become prohibited uses in the FOC District, and existing commercial boarding kennels and animal shelters would become nonconforming uses.
3. Adopt a new use in the AOC District, "Animal Shelter/Governmental," for animal shelters that are either owned and/or operated by the County government. The Clarke County Animal Shelter would be classified under this new use and would not be made nonconforming by deletion of "Animal Shelters" from Section 3-A-1-a-3-u.

Yes: Bouffault, Buckley, Caldwell (moved), Kreider (seconded), Kruhm, Nelson, Ohrstrom, Staelin, Steinmetz and Turkel

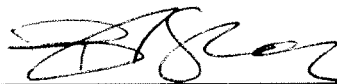
No: No one

Absent: No one

There being no further discussion, the meeting was adjourned at 9:18 a.m. until the next regular meeting of the Commission on June 6, 2014.



George L. Ohrstrom, II, Chair



Brandon Stidham, Director of Planning

Minutes prepared by Debbie Bean, Recording Secretary